

## UNITED STATES DISTRICT COURT

United States District Court  
Southern District of Texas  
FILED

for the

Southern District of Texas

SEP 27 2019

David J. Bradley, Clerk

United States of America )

v. )

Beatriz Elisa Moreno )

YOB: 1983 Citizenship: United States )

Case No. M-19-2317-M )

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 26, 2019 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

## Code Section

18 USC Section 554

## Offense Description

Did knowingly and unlawfully export or attempt to export from the United States, any merchandise, article, or object, to wit: two (2) .380 caliber pistols, as defined by the United States Munitions List, contrary to any law or regulation of the United States, in that the Defendant had not obtained a license or written authorization for such export, in violation of Title 22, United States Code, Sections 2778(b)(2) and 2778(c) and Title 22, Code of Federal Regulations, Sections 121.1, 123.1, 127.1 and 127.3 all in violation of Title 18, United States Code, Section 554.

This criminal complaint is based on these facts:

I declare under penalty of perjury that the statements in this complaint are true and correct.  
See Affidavit☒ Continued on the attached sheet.Approved by AUSA Kristina Pellegrini  
9/27/19  
KR

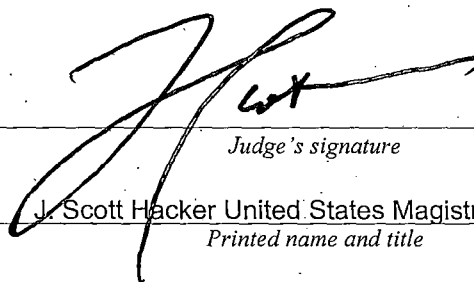
Complainant's signature

Ryan McTaggart Special Agent HSI

Printed name and title

Sworn to before me and signed in my presence.

Date: \_\_\_\_\_

City and state: McAllen, Texas

Judge's signature

J. Scott Hacker United States Magistrate Judge

Printed name and title

Attachment "A"

On September 26, 2019, Homeland Security Investigations (HSI) Special Agents (SA) and SAs from the Bureau of Alcohol, Firearms, Tobacco, and Explosives (ATF), received information that Beatriz Elisa MORENO (hereafter referred to as Moreno) was attempting to purchase two (2) .380 caliber pistols from a Federal Firearms Licensee (FFL) in McAllen, Texas.

SAs responded to the FFL and observed MORENO exit the FFL and place what appeared to be two (2) firearms, in firearm cases, inside a vehicle bearing Mexican license plates.

MORENO departed the FFL, and SAs maintained surveillance of the vehicle, while MORENO traveled to the La Plaza Mall parking lot, where SAs observed MORENO concealing the firearms in blankets and placing the blankets back inside of the vehicle.

MORENO then returned to the vehicle and departed from the La Plaza Mall parking lot.

SAs maintained surveillance of MORENO's vehicle and MORENO traveled to a gas station, located near the Hidalgo, Texas, Port of Entry (POE), where SAs observed MORENO adjusting the blankets, before MORENO departed the gas station and traveled to the Hidalgo, Texas, POE.

SAs maintained surveillance of MORENO's vehicle until it arrived at the Hidalgo, Texas, POE.

At the Hidalgo, Texas, POE MORENO's vehicle was selected for an outbound inspection by Customs and Border Protection Officers (CBPOs). CBPOs received a negative declaration for tobacco, firearms, narcotics, and currency in excess of \$10,000.00 USD. MORENO stated MORENO was coming from visiting MORENO's son, who resided in the United States.

During the outbound inspections, CBPOs located two (2) .380 caliber pistols concealed inside blankets in the vehicle.

On September 26, 2019, MORENO, under rights advisement and waiver, stated MORENO knew it was illegal to smuggle firearms into Mexico.

According to the Department of State, Office of Defense Trade Controls Compliance (DTCC), .380 caliber pistols are determined to be a defense article described on the United States Munitions List (USML) and regulated for export pursuant to the Arms Export Control Act (22 U.S.C. 2778). Moreno's exportation or attempt to export these firearms was contrary to the laws and regulations of the United States.